



PAUL RICHARD LEPAGE
GOVERNOR

STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY
MAINE LAND USE PLANNING COMMISSION
133 FYFE ROAD
P.O. BOX 307
WEST FARMINGTON, MAINE
04992-0307

WALTER E. WHITCOMB
COMMISSIONER

PERMIT

AMENDMENT A TO FORESTRY OPERATIONS PERMIT FOP 914

The staff of the Maine Land Use Planning Commission, after reviewing the application and supporting documents submitted by Misty Moon Beam, LLC for Amendment A to Forestry Operations Permit FOP 914, finds the following facts:

1. Applicant: Misty Moon Beam, LLC
Attn: Richard Allan
PO Box 748
Barre, MA 01005

Agent: Dan Aleck
PO Box 1194
Rangeley, ME 04970
2. Date of Completed Application: July 9, 2014
3. Location of Proposal: Dallas Plantation, Franklin County
Lot #110 on Tax Plan 02
4. Zoning: (D-RS2) Community Residential Development Subdistrict
5. Waterbody: Nile Brook & Unnamed Streams
6. Approximate Time Period of Operations: Date of Permit Approval – September 18, 2016

Background Information

7. The subject lot is located along Old County Road, a private year round access road, and is currently undeveloped. Forestry Operations Permit FOP 914, issued to the applicant in April of 2012, authorized the harvest of timber on the lot, and construction of an approximately 1500

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foot long land management road, with a water crossing, to access the permitted harvest area. The permitted land management road was to enter onto Old County Road.

Forestry Operations Permit FOP 914 expired on March 14, 2014 pursuant to Condition #14 of that permit.

8. The permitted timber harvest and road construction have not been done.

Proposal

9. The applicant now seeks amendment approval to extend the expiration date of Forestry Operations Permit FOP 914 in order to harvest timber and construct the land management road as authorized under that permit. No other changes are proposed for the timber harvest or land management road as previously permitted.
10. The facts are otherwise represented in Forestry Operations Permit Application FOP 914, Amendment Request A, and supporting documents.

Based upon the above Findings, the staff concludes that if carried out in compliance with the Conditions below, the proposal will meet the Criteria for Approval, Section 685-B(4) of the Commission's Statutes, 12 M.R.S.A.

Therefore, the staff approves the application of Misty Moon Beam, LLC with the following conditions:

1. The Standard Conditions for Forestry Operations Permits (ver. 9/84), a copy of which is attached.
2. The period of operation shall be from the date of issuance of this permit until September 18, 2016. Hours of operation shall be limited to between 7AM and 7PM Monday through Saturday, with no operations allowed on Sundays.
3. All conditions of Forestry Operations Permit FOP 914 shall remain in effect except for Condition #14 of Forestry Operations Permit FOP 914 which is superseded by Condition #2 of this amendment.

This permit is approved only upon the above stated conditions and remains valid only if the permittee complies with all of these conditions. In addition, any person aggrieved by this decision of the staff may, within 30 days, request that the Commission review the decision.

DONE AND DATED AT WEST FARMINGTON, MAINE, THIS 18th DAY OF SEPTEMBER, 2014.

By: Sara L. Brucila
for Nicholas D. Livesay, Director



STATE OF MAINE
DEPARTMENT OF CONSERVATION
22 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0022

ADMINISTRATIVE POLICY:

STANDARD CONDITIONS OF APPROVAL TO BE ATTACHED TO ALL FORESTRY OPERATIONS PERMITS:

1. This permit is limited to the proposal as set forth in the application and as modified by the conditions of approval. All changes must be reviewed and approved by the Commission. Any variance from the application or the conditions of approval undertaken without review and approval of the Commission constitutes a violation of the Land Use Regulation Commission law.
2. The recipient of this permit must secure and comply with all applicable licenses, permits and authorizations of all federal, state and local agencies, with particular regard to the water pollution regulations of the Maine Department of Environmental Protection, the Maine Department of Inland Fisheries and Wildlife and the Maine Forest Service.
3. The Commission or its authorized representatives may inspect the operation during and upon completion of activities to assure compliance with the provisions of this permit.
4. The recipient of this permit shall designate a person experienced in Forestry who is responsible for seeing that the operation is properly conducted according to these conditions of approval, and who may be contacted by the Commission with regard to inspection of the operation.
5. The area of the project covered by this permit must be kept free of litter, trash, junk cars, and any other obvious eyesores or unsanitary deposits.

Revised 9/84

MAINE LAND USE REGULATION COMMISSION



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